## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

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§	CIVIL ACTION NO. 6:16-CV-1302
§	RWS-JDL
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## ORDER ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. The Report and Recommendation of the Magistrate Judge (Docket No. 34) recommending granting-in-part Plaintiff's Motion for Conditional Certification and Notice to Potential Opt-In Plaintiffs (Docket No. 28) has been presented for consideration. No objections to the Report and Recommendation were filed during the prescribed objection period.

The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court **ADOPTS** the Report and Recommendation of the United States Magistrate Judge as the findings and conclusions of this Court. The Court **GRANTS-IN-PART** Plaintiff's Motion for Conditional Certification and Notice to Potential Opt-In Plaintiffs, and certifies the collective action into two sub-classes as follows:

1. All current and former Crane Operators who were paid on an hourly basis, and were employed by Joyce Steel Erection, Ltd. at any time within the three-year period

immediately preceding entry of this Order.

2. All current and former Riggers who were paid on an hourly basis, and were employed

by Joyce Steel Erection, Ltd. at any time within the three-year period immediately

preceding entry of this Order.

SIGNED this 14th day of June, 2017.

Robert W. SCHROEDER III

UNITED STATES DISTRICT JUDGE